

House File 183 - Introduced

HOUSE FILE _____
BY ROBERTS

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the teaching of chemical and biological
2 evolution in school districts and public postsecondary
3 institutions and providing an effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1206YH 83
6 kh/nh/24

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1 1 Section 1. CITATION == LEGISLATIVE FINDINGS == INTENT.
1 2 1. This Act may be cited as the "Evolution Academic
1 3 Freedom Act".
1 4 2. The general assembly finds and declares all of the
1 5 following:
1 6 a. That current law does not expressly protect the right
1 7 of instructors to objectively present scientific information
1 8 relevant to the full range of scientific views regarding
1 9 chemical and biological evolution.
1 10 b. That in many instances instructors have experienced or
1 11 feared discipline, discrimination, or other adverse
1 12 consequences as a result of presenting the full range of
1 13 scientific views regarding chemical and biological evolution.
1 14 c. That existing law does not expressly protect students
1 15 from discrimination due to their positions or views regarding
1 16 biological or chemical evolution.
1 17 d. That the topic of biological and chemical evolution has
1 18 generated intense controversy about the rights of instructors
1 19 and students to hold differing views on those subjects.
1 20 3. It is therefore the intent of the general assembly that
1 21 this Act be construed to expressly protect the affirmative
1 22 right and freedom of every instructor at the elementary,
1 23 secondary, and postsecondary level to objectively present
1 24 scientific information relevant to the full range of
1 25 scientific views regarding biological and chemical evolution
1 26 in connection with teaching any prescribed curriculum
1 27 regarding chemical or biological evolution.
1 28 Sec. 2. NEW SECTION. 256.11C EVOLUTION ACADEMIC FREEDOM.
1 29 1. As used in this section, unless the context otherwise
1 30 requires:
1 31 a. "Scientific information" means germane, current facts,
1 32 data, and peer-reviewed research specific to the topic of
1 33 chemical and biological evolution as prescribed in the state's
1 34 core curriculum for science.
1 35 b. "Teacher" means the same as defined in section 272.1.
2 1 2. A teacher who is employed by a school district may
2 2 objectively present scientific information relevant to the
2 3 full range of scientific views regarding biological and
2 4 chemical evolution in connection with teaching any prescribed
2 5 curriculum regarding chemical or biological evolution.
2 6 3. A teacher who is employed by a school district shall
2 7 not be disciplined, denied tenure, terminated, or otherwise
2 8 discriminated against for objectively presenting scientific
2 9 information relevant to the full range of scientific views
2 10 regarding biological or chemical evolution in connection with
2 11 teaching any prescribed curriculum regarding chemical or
2 12 biological evolution.
2 13 4. Elementary and secondary students enrolled in a school
2 14 district shall be evaluated based upon their understanding of
2 15 course materials through standard testing procedures.
2 16 However, students shall not be penalized for subscribing to a
2 17 particular position or view regarding biological or chemical
2 18 evolution.
2 19 5. The rights and privileges contained in this section

2 20 shall apply when the subject of biological or chemical
2 21 evolution is part of a school district's curriculum. This
2 22 section does not require or encourage any change in the core
2 23 curriculum adopted by the state board of education pursuant to
2 24 section 256.7, subsection 26, the core content standards
2 25 adopted pursuant to section 256.7, subsection 28, or the
2 26 accreditation standards and curriculum definitions adopted
2 27 pursuant to section 256.11.

2 28 6. This section shall not be construed to promote any
2 29 religious doctrine, promote discrimination for or against a
2 30 particular set of religious beliefs, or promote discrimination
2 31 for or against religion or nonreligion.

2 32 Sec. 3. NEW SECTION. 261G.1 EVOLUTION ACADEMIC FREEDOM.

2 33 1. As used in this section, unless the context otherwise
2 34 requires:

2 35 a. "Community college" means the same as defined in
3 1 section 260C.2, subsection 1.

3 2 b. "Scientific information" means germane, current facts,
3 3 data, and peer-reviewed research specific to the topic of
3 4 chemical and biological evolution.

3 5 c. "State university" means an institution of higher
3 6 education under the control of the state board of regents.

3 7 2. An instructor who is employed by a community college or
3 8 state university may objectively present scientific
3 9 information relevant to the full range of scientific views
3 10 regarding biological and chemical evolution in connection with
3 11 teaching any prescribed curriculum regarding chemical or
3 12 biological evolution.

3 13 3. An instructor who is employed by a community college or
3 14 state university shall not be disciplined, denied tenure,
3 15 terminated, or otherwise discriminated against for objectively
3 16 presenting scientific information relevant to the full range
3 17 of scientific views regarding biological or chemical evolution
3 18 in connection with providing instruction for any prescribed
3 19 curriculum regarding chemical or biological evolution.

3 20 4. Students enrolled in a community college or state
3 21 university shall be evaluated based upon their understanding
3 22 of course materials through standard testing procedures.
3 23 However, students shall not be penalized for subscribing to a
3 24 particular position or view regarding biological or chemical
3 25 evolution.

3 26 5. The rights and privileges contained in this section
3 27 shall apply when the subject of biological or chemical
3 28 evolution is part of the curriculum offered by a community
3 29 college or state university. This section does not require or
3 30 encourage any change in curricula on biological or chemical
3 31 evolution adopted by the board of directors of a community
3 32 college or the state board of regents.

3 33 6. This section shall not be construed to promote any
3 34 religious doctrine, promote discrimination for or against a
3 35 particular set of religious beliefs, or promote discrimination
4 1 for or against religion or nonreligion.

4 2 Sec. 4. EFFECTIVE DATE. This Act takes effect July 1,
4 3 2010.

4 4 EXPLANATION

4 5 This bill establishes the "Evolution Academic Freedom Act".

4 6 The bill includes the general assembly's findings and
4 7 declarations related to its intent to protect the right and
4 8 freedom of public school teachers and public postsecondary
4 9 instructors to objectively present scientific information
4 10 relevant to the full range of scientific views regarding
4 11 biological and chemical evolution in connection with teaching
4 12 any prescribed curriculum regarding chemical or biological
4 13 evolution.

4 14 The bill defines "scientific information" to mean germane
4 15 current facts, data, and peer-reviewed research specific to
4 16 the topic of chemical and biological evolution. For
4 17 elementary and secondary schools, the definition is linked to
4 18 the state's core curriculum for science.

4 19 Pursuant to the bill, the general assembly finds and
4 20 declares that current law does not expressly protect the right
4 21 of instructors to objectively present scientific information;
4 22 that instructors have experienced or feared discipline,
4 23 discrimination, or other adverse consequences as a result of
4 24 presenting the full range of scientific views regarding
4 25 chemical and biological evolution; that existing law does not
4 26 expressly protect students from discrimination due to their
4 27 positions or views regarding biological or chemical evolution;
4 28 and that the topic has generated intense controversy about the
4 29 rights of instructors and students to hold differing views.

4 30 The bill prohibits an instructor from being disciplined,

4 31 denied tenure, terminated, or otherwise discriminated against
4 32 for objectively presenting scientific information relevant to
4 33 the full range of scientific views regarding biological or
4 34 chemical evolution.

4 35 The bill requires students to be evaluated based upon their
5 1 understanding of course materials through standard testing
5 2 procedures. Students shall not be penalized for subscribing
5 3 to a particular position or view regarding biological or
5 4 chemical evolution.

5 5 The bill takes effect July 1, 2010.

5 6 LSB 1206YH 83

5 7 kh/nh/24.1